

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

U.S. SPECIALTY INSURANCE
COMPANY,

Plaintiff,

Case No. 3:23-cv-367

vs.

PERFORMANCE SITE
DEVELOPMENT, LLC, *et al.*,

District Judge Michael J. Newman
Magistrate Judge Caroline H. Gentry

Defendants.

ORDER: (1) REQUIRING THE PARTIES TO MEET AND CONFER; (2) ORDERING THE PARTIES TO FILE THEIR FED. R. CIV. P. 26(f) REPORT ON OR BEFORE APRIL 18, 2024; AND (3) ORDERING THE PARTIES TO MAKE INITIAL DISCLOSURES UNDER FED. R. CIV. P. 26(a)(1) ON OR BEFORE APRIL 11, 2024

Pursuant to Fed. R. Civ. P. 16 and Fed. R. Civ. P. 26(f), the parties are **ORDERED** to informally confer in good faith and prepare a report as required by Fed. R. Civ. P. 26(f).¹ The parties' Rule 26(f) report shall be filed with the Court on or before **April 18, 2024**. Unless otherwise agreed to by the parties in their Rule 26(f) Report, initial disclosures must be made as required by Rule 26(a)(1). Rule 26(a)(1) initial disclosures must be served upon all parties in the case by **April 11, 2024** and should not be filed with the Court unless submitted in support of a motion.

The parties are **ADVISED** that failure to comply with any provision of this Order may result in appropriate sanctions including, but not limited to, dismissal of this action or the entry of a default judgment pursuant to Rule 16(f) and Rule 37(b)(2)(A). After the parties file their Rule

¹ A form Rule 26(f) Report of the Parties (applicable to the Western Division at Dayton) is accessible on the Court's website at <http://www.ohsd.uscourts.gov/ohio-southern-district-forms>.

26(f) report, the Court intends to put on a scheduling order and to formally refer this matter to the United States Magistrate Judge.

IT IS SO ORDERED.

March 18, 2024

s/Michael J. Newman
Hon. Michael J. Newman
United States District Judge